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TAGS: [KTIP](#) [ELAB](#) [KCRM](#) [KPAO](#) [KWMN](#) [PGOV](#) [PHUM](#) [PREL](#) [SMIG](#) [LE](#)  
SUBJECT: LEBANON -- 2009 TIP REPORT: PRESS GUIDANCE AND  
DEMARCHE

REF: A. STATE 59732  
[1](#)B. STATE 005577

[1](#)1. This is an action cable; see paras 5 through 7 and 10.

[1](#)2. On June 16, 2009, at 9:00 a.m. EDT, the Secretary released the 2009 Trafficking in Persons (TIP) Report at a press conference in the Department's press briefing room. This release received substantial coverage in domestic and foreign news outlets.

[1](#)3. The Department is hereby providing Post with press guidance. Also provided is demarche language to be used in informing the Government of Lebanon of its tier ranking and the TIP Report's imminent release. The text of the TIP Report country narrative is provided, both for use in informing the Government of Lebanon and in any local media release by Post's public affairs section on June 16 or thereafter. Drawing on information provided below in paras 8 and 9, Post may provide the host government with the text of the TIP Report narrative no earlier than 1200 noon local time Monday June 15 for WHA, AF, EUR, and NEA countries and OOB local time Tuesday June 16 for SCA and EAP posts. Please note, however, that any public release of the Report's information should not/precede the Secretary's release at 10:00 am EDT on June 16.

[1](#)4. The entire TIP Report will be available on-line at [www.state.gov/g/tip](http://www.state.gov/g/tip) shortly after the Secretary's June 16 release. Hard copies of the Report will be pouched to posts in all countries appearing on the Report. The Secretary's statement at the June 16 press event, and the statement of and fielding of media questions by G/TIP's Director and Senior Advisor to the Secretary, Ambassador-at-Large Luis CdeBaca, will be available on the Department's website shortly after the June 16 event. Ambassador de Baca will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT.

[1](#)5. Action Request: Please inform the appropriate official in the Government of Lebanon of the June 16 release of the 2009 TIP Report, drawing on the points in para 9 (at Post's discretion) and including the text of the country narrative provided in para 8.

[1](#)6. Action Request continued: Please note that, for those countries which will not receive an "action plan" with specific recommendations for improvement, posts should draw host governments' attention to the areas for improvement identified in the 2009 Report, especially highlighted in the "Recommendations" section of the second paragraph of the narrative text. This engagement is important to establishing the framework in which the government's performance will be judged for the 2010 Report. If posts have questions about which governments will receive an action plan, or how they may follow up on the recommendations in the 2009 Report, please contact G/TIP and the appropriate regional bureau.

[1](#)7. Action Request continued: Please answer media inquiries on the Report's release using the press guidance provided in

para 11.

18. Begin Final Text of Lebanon,s country narrative in the 2009 TIP Report:

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LEBANON (Tier 2 Watch List)  
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Lebanon is a destination for Asian and African women trafficked for the purpose of domestic servitude, and for women from Eastern Europe and the former Soviet Union trafficked for the purpose of commercial sexual exploitation.

Lebanese children are trafficked within the country for the purpose of forced labor (mostly street vending), and sexual exploitation. Women from Sri Lanka, the Philippines, and Ethiopia who travel to Lebanon legally to work as household servants often find themselves in conditions of forced labor through withholding of passports, non-payment of wages, restrictions on movement, threats, and physical or sexual assault. In some cases, employers have kept foreign domestics confined in houses for years. Reports from NGOs indicate that 15 percent of foreign domestics encounter physical abuse from their employers, a potential indicator of involuntary domestic servitude.

In April 2008, the Ethiopian government banned its nationals from traveling to Lebanon to work as household maids for numerous cultural and socio-economic reasons, but also because of some incidents of mistreatment, including physical abuse, rape, and murder. The Philippines government lifted a similar ban on its nationals traveling to Lebanon for work in March 2009. The Lebanese government,s &artist8 work permit program, which facilitates entry of women from Eastern Europe and the former Soviet Union to work in the adult entertainment industry, serves to sustain a significant sex trade and facilitates sex trafficking. Some women are reportedly held in debt bondage, receiving little or no income until the employer has forced the women to repay fraudulently imposed debts allegedly associated with the cost of their recruitment, transportation and employment.

The Government of Lebanon does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these efforts, the government failed to show significant progress in identifying foreign victims of trafficking ) particularly victims of domestic servitude ) and punishing their exploiters. Nonetheless, it cooperated with NGO,s, namely Caritas, by referring eight victims to Caritas in 2008. In October 2008, the Ministry of Justice, in cooperation with UNDOC, launched a national report on trafficking in persons and committed to undertake efforts to combat trafficking. The assessment revealed a number of policies and practices that contribute to the phenomenon of trafficking in Lebanon. While the report represents a step forward in recognizing and bringing to light the nature of the problem, it may underestimate the overall magnitude of Lebanon,s human trafficking problem ) particularly with regard to domestic servitude.

Recommendations for Lebanon: Criminalize all forms of trafficking in persons; investigate and prosecute trafficking offenses under existing law and convict and punish trafficking offenders; develop and institute formal procedures to identify victims of trafficking among vulnerable populations, such as women holding &artist8 work permits and foreign domestic workers who have escaped from abusive employers; consider measures to lessen the abuse of the &artist8 work permit as a conduit for sex trafficking; enforce Lebanese law prohibiting the confiscation of passports of foreign maids; implement the March 2009 Labor Code revision that provides a unified contract; and ensure that victims of trafficking are referred to protection services rather than detained for crimes committed as a direct result of being trafficked, such as immigration violations and prostitution.

## Prosecution

Lebanon made modest but insufficient efforts to prosecute or punish trafficking offenses during the reporting period. Although trafficking is not defined as a crime in Lebanese law, some trafficking-related offenses are codified in the criminal code, including commercial sexual exploitation, depriving a person of his or her freedom, and use of documents belonging to another person. The prescribed penalties for commercial sexual exploitation -- a maximum of two years, imprisonment -- and forced prostitution -- a minimum of one year, imprisonment -- are not commensurate with those prescribed for other grave crimes, such as rape. Penalties for other forms of trafficking are not sufficiently stringent: temporary hard labor is prescribed for the offense of depriving a person of freedom. During the past year, five cases were reported of foreign household servants who had been victims of violence, insufficient payment of salary, and withholding of passports; these may have constituted trafficking. In one case of rape of a domestic worker, an employer was prosecuted, convicted, and sentenced to five years, imprisonment and ordered to pay the victim compensation. Other cases involved financial compensation and/or two-month prison sentences. The Ministry of Labor closed down two employment agencies for violation of workers' rights, including physical abuse. The General Security reported 47 complaints of physical abuse, rape, and withheld earnings of foreign women working in adult clubs in 2008 ) complaints that may have involved conditions of involuntary servitude. Most were settled out of court and the victims deported. These cases were hampered by a lack of resources; court backlogs; corruption; cultural biases, particularly against foreign women; bureaucratic indifference and inefficiency; difficulty proving cases of reported abuse; and victims' lack of knowledge of their rights. Given the significant hurdles to pursuing criminal complaints in the Lebanese court system, and in the absence of alternate legal recourse, many foreign victims opted for quick administrative settlements followed by mandatory repatriation.

## Protection

The Government of Lebanon did not make sufficient efforts to protect victims of trafficking during the reporting period. The government did not provide trafficking victims with any services directly; only an NGO, funded by a foreign donor, provided shelter to foreign victims of involuntary domestic servitude. However, this NGO has a Memorandum of Understanding with the Government of Lebanon, which stipulates that the government will cooperate with the NGO by referring trafficking victims to the shelter. The government also provides security for the shelter and protects the location, whereabouts as requested by the NGO. That NGO provided shelter for 92 victims of trafficking in 2008. The government did not employ formal procedures to identify and refer victims of trafficking, although some victims are referred informally to NGOs for assistance. Moreover, the government pursued policies and practices that significantly harmed foreign victims of trafficking. For example, authorities required that women recruited for prostitution under its artist work permit program be confined in hotels for most of the day and summarily deported them if they complained of mistreatment. Similarly, the government regularly detained and deported foreign domestic workers who left their employers and did not have valid residency and work permits, without attempting to determine if any were victims of forced labor. Previously, domestic workers signed a contract with an employment agency before leaving their home country and signed a second contract in Arabic upon arrival in Lebanon, a language they may not understand, and on terms that may not be consistent with initial contract. The new unified contract provided in the March 2009 amendment to Lebanon's Labor Code is printed in nine languages and provided to prospective employees in their home countries; domestic workers now sign the same contract, in their native language, upon arrival in Lebanon. It is common practice for employers to force a domestic worker who breaks his or her contract to repay residency and work permit fees, or pay

for a paper releasing him or her from their contract; there is no exception for workers who break their contracts due to employers, abuse. Victims were neither encouraged to participate in trials, nor offered legal alternatives to removal to countries where they would face hardship or retribution. Rather, the government often deported victims to their countries of origin before giving them the opportunity to testify against their traffickers.

#### Prevention

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Lebanon made minimal efforts to prevent trafficking in persons over the last year. In February 2009, the Ministry of Labor published a unified contract to be used by all employment agencies hiring domestic workers locally or overseas; the contract regulates working hours and stipulates that workers be given days off for vacations and holidays. During 2008, 50 members of the armed forces and law enforcement officials participated in training conducted by an NGO on basic awareness of human rights, migrant workers' rights, and trafficking issues. In addition, the Ministry of Labor conducted routine training courses for its inspectors, although the Ministry has limited jurisdiction in cases of household employment. Aside from the introduction of the aforementioned unified contract for domestic workers, the government did not take additional steps to reduce the demand for domestic servitude or commercial sex acts in Lebanon during the reporting period. The government similarly did not institute a public awareness campaign targeting citizens traveling to known child sex tourism destinations.

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19. Post may wish to deliver the following points, which offer technical and legal background on the TIP Report process, to the host government as a non-paper with the above TIP Report country narrative:

(begin non-paper)

-- The U.S. Congress, through its passage of the 2000 Trafficking Victims Protection Act, as amended (TVPA), requires the Secretary of State to submit an annual Report to Congress. The goal of this Report is to stimulate action and create partnerships around the world in the fight against modern-day slavery. The USG approach to combating human trafficking follows the TVPA and the standards set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (commonly known as the "Palermo Protocol"). The TVPA and the Palermo Protocol recognize that this is a crime in which the victims, labor or services (including in the "sex industry") are obtained or maintained through force, fraud, or coercion, whether overt or through psychological manipulation. While much attention has focused on international flows, both the TVPA and the Palermo Protocol focus on the exploitation of the victim, and do not require a showing that the victim was moved.

-- Recent amendments to the TVPA removed the requirement that only countries with a "significant number" of trafficking victims be included in the Report. Beginning with the 2009 TIP Report, countries determined to be a country of origin, transit, or destination for victims of severe forms of trafficking are included in the Report and assigned to one of three tiers. Countries assessed as meeting the "minimum standards for the elimination of severe forms of trafficking" set forth in the TVPA are classified as Tier 1. Countries assessed as not fully complying with the minimum standards, but making significant efforts to meet those minimum standards are classified as Tier 2. Countries assessed as neither complying with the minimum standards nor making significant efforts to do so are classified as Tier 3.

-- The TVPA also requires the Secretary of State to provide a "Special Watch List" to Congress later in the year.

Anti-trafficking efforts of the countries on this list are to be evaluated again in an Interim Assessment that the Secretary of State must provide to Congress by February 1 of each year. Countries are included on the "Special Watch List" if they move up in "tier" rankings in the annual TIP Report -- from 3 to 2 or from 2 to 1 ) or if they have been placed on the Tier 2 Watch List.

-- Tier 2 Watch List consists of Tier 2 countries determined: (1) not to have made "increasing efforts" to combat human trafficking over the past year; (2) to be making significant efforts based on commitments of anti-trafficking reforms over the next year, or (3) to have a very significant number of trafficking victims or a significantly increasing victim population. As indicated in reftel B, the TVPRA of 2008 contains a provision requiring that a country that has been included on Tier 2 Watch List for two consecutive years after the date of enactment of the TVPRA of 2008 be ranked as Tier 3. Thus, any automatic downgrade to Tier 3 pursuant to this provision would take place, at the earliest, in the 2011 TIP Report (i.e., a country would have to be ranked Tier 2 Watch List in the 2009 and 2010 Reports before being subject to Tier 3 in the 2011 Report). The new law allows for a waiver of this provision for up to two additional years upon a determination by the President that the country has developed and devoted sufficient resources to a written plan to make significant efforts to bring itself into compliance with the minimum standards.

-- Countries classified as Tier 3 may be subject to statutory restrictions for the subsequent fiscal year on non-humanitarian and non-trade-related foreign assistance and, in some circumstances, withholding of funding for participation by government officials or employees in educational and cultural exchange programs. In addition, the President could instruct the U.S. executive directors to international financial institutions to oppose loans or other utilization of funds (other than for humanitarian, trade-related or certain types of development assistance) with respect to countries on Tier 3. Countries classified as Tier 3 that take strong action within 90 days of the Report's release to show significant efforts against trafficking in persons, and thereby warrant a reassessment of their Tier classification, would avoid such sanctions. Guidelines for such actions are in the DOS-crafted action plans to be shared by Posts with host governments.

-- The 2009 TIP Report, issuing as it does in the midst of the global financial crisis, highlights high levels of trafficking for forced labor in many parts of the world and systemic contributing factors to this phenomenon: fraudulent recruitment practices and excessive recruiting fees in workers, home countries; the lack of adequate labor protections in both sending and receiving countries; and the flawed design of some destination countries, "sponsorship systems" that do not give foreign workers adequate legal recourse when faced with conditions of forced labor. As the May 2009 ILO Global Report on Forced Labor concluded, forced labor victims suffer approximately \$20 billion in losses, and traffickers, profits are estimated at \$31 billion. The current global financial crisis threatens to increase the number of victims of forced labor and increase the associated "cost of coercion."

-- The text of the TVPA and amendments can be found on website [www.state.gov/g/tip](http://www.state.gov/g/tip).

-- On June 16, 2009, the Secretary of State will release the ninth annual TIP Report in a public event at the State Department. We are providing you an advance copy of your country's narrative in that report. Please keep this information embargoed until 10:00 am Washington DC time June 16. The State Department will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT.

(end non-paper)



¶10. Posts should make sure that the relevant country narrative is readily available on or through the Mission's web page in English and appropriate local language(s). Funding for translation costs will be handled as it was for the Human Rights Report. Posts needing financial assistance for translation costs should contact their regional bureau,s EX office.

¶11. The following is press guidance provided for Post to use with local media.

Q1: Why was Lebanon given Tier 2 Watch List ranking?

A: Lebanon was placed on Tier 2 Watch List because it did not show evidence of progress in prosecuting human trafficking offenses and punishing trafficking offenders over the last year. Moreover, the government did not provide trafficking victims with any services directly. The government pursued policies and practices that significantly harmed foreign victims of trafficking. Women who had been recruited for prostitution under the &artist8 work permit program were confined in hotels for most of the day and summarily deported if complaints of mistreatment were made. The government did not take significant steps to reduce the demand for domestic servitude or commercial sex acts in Lebanon during the reporting period. The government similarly did not institute a public awareness campaign targeting citizens traveling to known child sex tourism destinations.

Q2: What progress has Lebanon made during the last year in combating trafficking?

A: The Lebanese government cooperated with NGO,s, namely Caritas, by referring eight victims to Caritas in 2008. In October 2008, the Ministry of Justice, in cooperation with UNDOC, launched a national report on trafficking in persons and committed to undertake efforts to combat trafficking. In February 2009, the Ministry of Labor published a unified contract to be used by all employment agencies hiring domestic workers locally or overseas; the contract regulates working hours and stipulates that workers be given days off for vacations and holidays. During 2008, fifty members of the armed forces and law enforcement officials participated in training conducted by an NGO on basic awareness of human rights, migrant workers' rights, and trafficking issues. In addition, the Ministry of Labor conducted routine training courses for its inspectors, although the Ministry has limited jurisdiction in cases of household employment.

Q3: What can Lebanon do to improve its anti-trafficking efforts?

A: The Lebanese government could: Criminalize all forms of trafficking in persons; investigate and prosecute trafficking offenses under existing law and convict and punish trafficking offenders; develop and institute formal procedures to identify victims of trafficking among vulnerable populations, such as women holding &artist8 work permits and foreign domestic workers who have escaped from abusive employers; consider measures to lessen the abuse of the &artist8 work permit as a conduit for sex trafficking; enforce Lebanese law prohibiting the confiscation of passports of foreign maids; implement the March 2009 Labor Code revision that provides a unified contract; and ensure that victims of trafficking are referred to protection services rather than detained for crimes committed as a direct result of being trafficked, such as immigration violations and prostitution.

¶12. The Department appreciates posts, assistance with the preceding action requests.  
CLINTON